



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/050,841 03/30/98 CALLAGHAN

P EN998017

EXAMINER

TM02/0530

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TRAN.T

ART UNIT

PAPER NUMBER

2161

DATE MAILED:

05/30/01

827.030

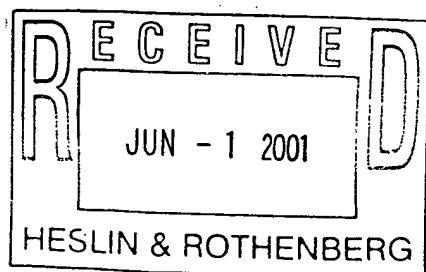
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Due 8/30/01

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Office Action Summary

Application No.

09/050,841

Applicant(s)

Callaghan et al.

Examiner

Tongoc Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Mar 19, 2001

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-50 is/are pending in the application

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-50 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

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DETAILED ACTION

Continued Prosecution Application

1. The request filed on 3/19/2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09050841 is acceptable and a CPA has been established. An action on the CPA follows.

Claims 1, 18, 19, 22, 38, 39, 42 and 50 are amended. Claims 1-50 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01.

The omitted steps are: steps that enabling the sharing of state information between the non-cooperating domains “*wherein said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between one another*”. As the claimed language recites, said non-cooperating

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domains are not communicating state information between one another. Therefore, a step is missing which facilitates the sharing of the state information between the two non-cooperating domains.

The dependent claims 2-9 and 19-21 are rejected because by their dependency they contain the language of the base claims.

4. Claims 22, 38, 42, 50 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01.

The omitted elements are: an element (i.e. intermediate application or a proxy server) that enabling the sharing of state information between the non-cooperating domains “*wherein said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between one another*”.

As the claimed language recites, said non-cooperating domains are not communicating state information between one another. Therefore it is necessary that a proxy server or an intermediate application is needed to facilitate the sharing of the state information between the two domains.

The dependent claims 23-29, 39-41, 43-46 are rejected because by their dependency, they contain the language of the base claims.

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Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claim 1-4, 6, 7, 22-24, 26, 27, 42-46 are rejected under 35 U.S.C. 102(a) as being by anticipated by Rosenberg (WO 98/09447).

A) Regarding to claim 1, Rosenberg discloses a method of sharing state information, said method comprising:

determining state information to be shared between a first domain and a second domain (see page 4, lines 18-23); and

sharing said state information between said first domain and said second domain, wherein said first domain and said second domain are non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate states information (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23 distinct domains).

B) Regarding to claim 2, Rosenberg discloses the method of sharing state information as set forth in claim 1, Rosenberg further discloses said state information is stored within one or more cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

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C) Regarding to claim 3, Rosenberg discloses the method of sharing state information as set forth in claim 1. Rosenberg further disclose said first domain and said second domain are disjoint domain (see page 4, lines 22-23).

D) Regarding to claim 4, Rosenberg discloses the method of sharing state information as set forth in claim 1. Rosenberg further discloses said sharing comprises:

adding state information of said first domain to a request to be sent to said second domain and sending said request, including said state information, to said second domain (see page 4, lines 18-27).

E) Regarding to claim 6, Rosenberg discloses the method of sharing the state information as set forth in claim 1. Rosenberg further disclose said sharing comprises:

adding state information of said first domain to a response associated with said second domain; and sending said response, including said state information, to a client (see page 4, lines 24-30).

F) Regarding to claim 7, Rosenberg discloses the method of sharing the state information as set forth in claim 6. Rosenberg further discloses said sharing further comprises saving said state information at said client, wherein said state information is saved for a specified range of Uniform Resource Locators associated (URL) with said second domain (see page 12, lines 8-10).

G) Regarding to claim 22, Rosenberg discloses a system of sharing state information, said system comprising:

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means for determining state information to be shared between a first domain and a second domain (see page 4, lines 18-23); and

means for sharing said state information between said first domain and said second domain, wherein said first domain and said second domain are non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between one another (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23 distinct domains).

H) Regarding to claim 23, Rosenberg discloses the system of sharing state information as set forth in claim 22, Rosenberg further discloses said state information is stored within one or more cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

I) Regarding to claim 24, Rosenberg discloses the system of sharing state information as set forth in claim 22. Rosenberg further discloses said means of sharing comprises:

means for adding state information of said first domain to a request to be sent to said second domain and means for sending said request, including said state information, to said second domain (see page 4, lines 18-27).

J) Regarding to claim 26, Rosenberg discloses the system of sharing state information as set forth in claim 22. Rosenberg further discloses said means of sharing comprises:

means for adding state information of said first domain to a response associated with said second domain and means for sending said response, including said state information, to a client (see page 4, lines 18-27).

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K) Regarding to claim 27, Rosenberg discloses the system of sharing the state information as set forth in claim 26. Rosenberg further discloses said client is adapted to save said state information at said client, wherein said state information is saved for a specified range of Uniform Resource Locators associated (URL) with said second domain (see page 12, lines 8-10).

L) Regarding to claim 42, Rosenberg discloses an article of manufacture, comprising:

at least one computer useable medium having computer readable program code means embodied therein for causing the sharing of state information, the computer readable program code means in said article of manufacture comprising:

computer readable program code mean for causing a computer to determine state information to be shared between a first domain and a second domain (see page 4, lines 18-23);
and

computer readable program code means for causing a computer to share said state information between said first domain and said second domain, wherein said first domain and said second domain are non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein communicate state information between one another (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23, distinct domains)

M) Regarding to claim 43, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said state information is stored within one or more cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

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N) Regarding to claim 44, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said computer readable program code means for causing a computer to share comprises:

computer readable program code means for causing a computer to add state information of said first domain to a request to be sent to said second domain and computer readable program code means for causing a computer to send said request, including said state information, to said second domain (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23, cooperating server here refers to web site servers observing the common protocol. In the World Wide Web, it is inherently required that servers use the common protocol across distinct domain if information is to transfer from one server to the other, even servers across domain that are not cooperating to each other still needs to use common protocol in order to share information).

O) Regarding to claim 45, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said computer readable program code means for causing a computer to share comprises:

computer readable program code means for causing a computer to add state information of said first domain to a response associated with said second domain; and computer readable program code means for causing a computer to send said response, including said state information, to a client (see page 4, lines 24-30).

P) Regarding to claim 46, Rosenberg discloses the article of manufacture of state information as set forth in claim 45. Rosenberg further discloses computer readable program code

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means for causing a computer to save said state information at said client, wherein said state information is saved for a specified range of Uniform Resource Locators associated (URL) with said second domain (see page 12, lines 8-10).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 8, 10, 11-17, 25, 28, 30-37, 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (WO 98/09447) in view of Davis et al. (hereinafter Davis) (U.S. Patent No. 5,796,952).

A) Regarding to claim 5, Rosenberg discloses the method of sharing state information as set forth in claim 4. Rosenberg fails to disclose said sharing further comprises receiving, by an intermediary application, said request from a client prior to said adding, and wherein said adding and said sending are performed by said intermediary application. However, Davis discloses an intermediary application receive said request from a client prior to said adding and wherein said adding and said sending are performed by said intermediary application (see col. 4, lines 37-40 and lines 55-58, Fig. 5, intermediate application, client, receives request from server A and transmits information to server B). It would have been obvious to one of ordinary skill in the art

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at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because the intermediary applicant helps managing and tracking state information collected from the clients.

B) Regarding to claim 8, Rosenberg discloses the method of sharing state information as set forth in claim 1. Rosenberg fails to disclose said sharing is controlled by an intermediary application. However, Davis discloses an intermediary application control sharing of state information between the client and the server (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because having the intermediary application helps managing and tracking state information gathered from the clients.

C) Regarding to claim 10, Rosenberg discloses the method of sharing state information, said method comprising:

determining state information to be provided to at least one of a client application and a server application (see Fig. 7); and

Rosenberg fails to disclose using an intermediary application to provide said state information to at least one of said client application and said server application. However, Davis discloses an intermediary application receive said request from a client application (server A) prior to said adding and wherein said adding and said sending are performed by said intermediary

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application (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-40 and lines 55-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because the intermediary application helps managing and tracking information gather from the clients.

D) Regarding to claim 11, Rosenberg in view of Davis discloses the method of sharing state information as set forth in claim 10. Rosenberg fails to disclose receiving, by said intermediary application, a request from said client; and sending a response to said request from said intermediary application to said client, said response including said state information. However, Davis discloses an intermediary application receive said request from a client and sending a response to said request from said intermediary application to said client, said response including said state information. are performed by said intermediary application (see col. 4, lines 51-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because the intermediary application helps managing and track state information gathered from the clients.

E) Regarding to claim 12, Rosenberg in view of Davis discloses the method of sharing state information as set forth in claim 10 above. Rosenberg further disclose said state information is provided to said client and wherein said method further comprises saving said state information at

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said client for any specified range of Uniform Resource Locators (see page 4, lines 24-30 and page 12, lines 8-10).

F) Regarding to claim 13, Rosenberg in view of Davis discloses the method of sharing state information as set forth in claim 12 above. Rosenberg further fails to disclose said state information saved at said client to said intermediary application. However, Davis discloses said state information track at said client automatically sends the information acquired from the client back to a server for storage and analysis (see col. 4, lines 37-39) Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Davis's intermediary application with Rosenberg's method of tracking state information. One would have been motivated to do so because it would help better managing and tracking state information gathered from the clients.

G) Regarding to claim 14, Rosenberg in view of Davis discloses the method of sharing state information as set forth in claim 12 above. Rosenberg further discloses saving said state information for one or more other range of Uniform Resource Locators (see col. 12, lines 8-16).

H) Regarding to claim 15, Rosenberg in view of Davis discloses the method of providing state information as set forth in claim 10 above. Rosenberg further discloses adding said state information to a request for said server (see page 4, lines 23-24).

I) Regarding to claim 16, Rosenberg in view of Davis discloses the method of providing state information as set forth in claim 10 above. Rosenberg further discloses in Prior Art section adding state information to a response for said client (see page 3, line 19-20).

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J) Regarding to claim 17, Rosenberg in view of Davis discloses the method of providing state information as set forth in claim 10 above. Rosenberg further discloses saving, by said client, said state information for a specified range of Uniform Resource Locators (see page 12, lines 8-10).

K) Regarding to claim 25, Rosenberg discloses the system of sharing state information as set forth in claim 24. Rosenberg fails to disclose said sharing further comprising an intermediary application adapted to receive said request from a client prior to said adding, and adapted to add said state information to said request and to send said request. However, Davis discloses intermediary application adapted to receive said request from a client prior to said adding, and adapted to add said state information to said request and to send said request (see col. 4, lines 37-40 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the system means of sharing state information of Rosenberg. One would be motivated to do so because the intermediary applicant would helps managing and tracking state information collected from the clients.

L) Regarding to claim 28, Rosenberg discloses the system of sharing state information as set forth in claim 22. Rosenberg fails to disclose said sharing comprises an intermediary application. However, Davis discloses an intermediary application monitors sharing of state information between the client and the server (see col. 4, lines 37-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application

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of Davis with the system means of sharing state information of Rosenberg. One would be motivated to do so because having the intermediary application helps managing and tracking state information collected from the clients.

M) Regarding to claim 30, Rosenberg discloses the system of sharing state information, said system comprising:

means for determining state information to be provided to at least one of a client and a server (see Fig. 7); and

Rosenberg fails to disclose an intermediary application adapted to provide said state information to at least one of said client and said server. However, Davis discloses an intermediary application adapted to provide said state information to at least one of said client and server (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-40 and lines 55-58, col. 4, lines 51-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the system means of sharing state information of Rosenberg. One would be motivated to do so because the intermediary application helps managing and tracking information gather from the clients.

N) Regarding to claim 31, Rosenberg in view of Davis discloses the system of sharing state information as set forth in claim 30. Rosenberg fails to disclose receiving a request from said client; and sending a response to said client, said response including said state information. However, Davis discloses an intermediary application receive said request from a client and

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sending a response to said request to the client (see col. 4, lines 51-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the system means of sharing state information of Rosenberg. One would be motivated to do so because the intermediary application helps managing and track state information gathered from the clients.

O) Regarding to claim 32, the claimed invention has the similar limitations as claim 12 and therefore the same rejection applied.

P) Regarding to claim 33, the claimed invention has the similar limitations as claim 13 and therefore the same rejection applied.

Q) Regarding to claim 34, the claimed invention has the similar limitations as claim 14 and therefore the same rejection applied.

R) Regarding to claim 35, the claimed invention has the similar limitations as claim 15 and therefore the same rejection applied.

S) Regarding to claim 36, the claimed invention has the similar limitations as claim 16 and therefore the same rejection applied.

T) Regarding to claim 37, the claimed invention has the similar limitations as claim 17 and therefore the same rejection applied.

U) Regarding to claim 47, Rosenberg discloses an article of manufacture comprising:

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at least one computer useable medium having computer readable program code means embodied therein for causing the providing of state information, the computer readable program code means in said article of manufacture comprising:

computer readable program code means for causing a computer to determine state information to be provided to at least one of a client application (client) and a server application (server) (see page 7, lines 10-24);

Rosenberg fails to disclose a computer readable program means for causing a computer to use an intermediary application to provide said state information to at least one of said client and said server. However, Davis discloses an intermediary application receive said request from a client (see Fig. 5, server A) prior to said adding and wherein said adding and said sending are performed by said intermediary application (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-40 and lines 55-58 col. 4, lines 37-40 and lines 55-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because the intermediary application helps managing and tracking information gather from the clients.

V) Regarding to claim 48, Rosenberg in view of Davis discloses an article of manufacture, comprising state information as set forth in claim 47. Rosenberg further discloses said state information is provided to said client and wherein said article of manufacture further comprises computer readable program code means for causing a computer to save said state information at

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said client for any specified range of Uniform Resource Locators (see page 4, lines 24-30 and page 12, lines 8-10).

X) Regarding to claim 49, Rosenberg in view of Davis discloses the article of manufacture of state information as set forth in claim 48, Rosenberg further discloses a computer readable program code means for causing a computer to save said state information for one or more other range of Uniform Resource Locators (see col. 12, lines 8-16).

9. Claim 9 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (WO 98/09447) in view of Susuki et al. (U.S. 5,946,665).

A) Regarding to claim 9, Rosenberg discloses the method of sharing state information as set forth in claim 1. Rosenberg further discloses said sharing said state information is representative of at least one of the following:

a) login credentials to be used when accessing said first domain and said second domain (see Fig. 7). Rosenberg fails to disclose:

b) items to be purchased in an on-line virtual shopping mall, wherein said first domain represents a first vendor of said on-line virtual shopping mall and said second domain represents a second vendor of said on-line virtual shopping mall. However, Suzuki disclose items to be purchased in an on-line virtual shopping mall, wherein said first domain represents a first vendor of said on-line virtual shopping mall and said second domain represents a second vendor of said on-line virtual mall (see Fig. 11, item 1-4). Therefore, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to combine the virtual shopping mall of Susuki with the sharing state information of Rosenberg. One would have been motivated to do so because sharing state information can help vendors keeping track of consumer's on-line shopping that leads to purchases (i.e. shopping cart where shoppers browse through the virtual stores and items picked are collected in the shopping cart).

B) Regarding to claim 29, the claimed invention has the same limitations as claim 9 and therefore the same rejection applied.

10. Claim 20 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giacoppo ("http://www.dejanews.com", Forum: comp.lang.java.announce, Thread: ad/soft/CheckOut - shopping cart applet, 8/8/97) in view of Krick ("A cookie for your thoughts: cookies help Webmasters harness user habits. (Internet /Web/Online Service Information) (Tutorial)", Computer Shopper, v17, n7, p610(1)).

A) Regarding to claim 20, Giacoppo discloses an electronic shopping method as set forth in claim 19. Giacoppo did not disclose said shared shopping cart comprises one or more cookies representing said plurality of items to be purchased. However, Krick discloses one or more cookies representing said plurality of items to be purchased (see page 2, lines 47). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the use of cookie of Krick with the electronic shopping method of Giacoppo. One

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would be motivated to do so because cookies helps keep track of shoppers' selected items as they browse and stored in the shopping cart until they are ready to purchase.

B) Regarding to claim 40, the claimed invention has the similar limitations as claim 20 and therefore the same rejection applied.

11. Claim 21 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giacoppo ("http://www.dejanews.com", Forum: comp.lang.java.announce, Thread: ad/soft/CheckOut - shopping cart applet, 8/8/97) in view of Davis et al. (U.S. Patent No. 5,796,952).

A) Regarding to claim 21, Giacoppo discloses an electronic shopping method as set forth in claim 19. Giacoppo did not disclose said placing is controlled by an intermediary application coupled to said web sites. However, Davis discloses said placing is controlled by an intermediary application that monitor client's activity on-line (see col. 4, lines 50-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with Giacoppo's electronic shopping method. One would be motivated to do so because the intermediary applicant would help managing the shopping history for the shoppers.

B) Regarding to claim 41, the claimed invention has the similar limitations as claim 21 and therefore the same rejection applied.

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12. Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Giacoppo ("http://www.dejanews.com", Forum: comp.lang.java.announce, Thread: ad/soft/CheckOut - shopping cart applet, 8/8/97).

A) Regarding to claim 18, Giacoppo discloses a method of electronic shopping, said method comprising:

selecting, by purchaser, a plurality of items to be purchased electronically from a plurality of vendors, said plurality of vendors being represented by plurality of web sites; and

purchasing said plurality of items on-line via a single check out wherein an indication of said plurality of items to be purchased need not be moved, by said purchaser, between said plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destined database until shoppers ready for checkout. page 2, 2nd paragraph, lines 3-6 teaches that destined server can be any server on the Internet which includes a third trusted party (intermediate application or proxy server), therefore the limitation is met).

Giacoppo does not explicitly discloses said plurality of vendors comprising a plurality of non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between another.

However, third party acting as host to offer as proxy service or clearinghouse for plurality of website where each website has no knowledge of one another is common in the Internet art.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Giacoppo's system with plurality of vendors where each vendors are not do not directly communicate state information with one another so that each vendor only need to deal with one central party instead of multiple parties.

B) Regarding to claim 19, Giacoppo discloses an electronic shopping method as set forth in claim 18. Giacoppo further discloses said electronic shopping comprising placing said selected plurality of items in a shared shopping cart, said shared shopping cart being shared between said plurality of vendors (see pages 1 and 2).

C) Regarding to claim 38, Giacoppo discloses a system of electronic shopping, said system comprising:

means for selecting, by a purchaser, a plurality of items to be purchased electronically from a plurality of vendors, said plurality of vendors being represented by plurality of web sites; and

means for purchasing said plurality of items on-line via a single check out, wherein an indication of said plurality of items to be purchased need not be moved by said purchaser, between said plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destined database until shoppers ready for checkout. Page 2, 2nd paragraph, lines 3-6 teaches that destined server can be any server on the Internet which includes a third trusted party (intermediate application or proxy server), therefore the limitation is met).

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Giacoppo does not explicitly disclose said plurality of vendors comprising a plurality of non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between another.

However, third party acting as host to offer as proxy service or clearinghouse for plurality of website where each website has no knowledge of one another is common in the Internet art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Giacoppo's system with plurality of vendors where each vendors are not do not directly communicate state information with one another so that each vendor only need to deal with one central party instead of multiple parties.

D) Regarding to claim 39, the claimed invention has the similar limitations as claim 19 and therefore the same rejection applied.

E) Regarding to claim 50, Giacoppo at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by machine to perform a method of electronic shopping, said method comprising:

selecting, by a purchaser, a plurality of items to be purchased electronically from a plurality of vendors, said plurality of vendors being represented by plurality of web sites (see pages 1-2); and

purchasing said plurality of items on-line via a single check out, wherein an indication of said plurality of items to be purchased need not be moved, by said purchaser, between said

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plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destined database until shoppers ready for checkout. page 2, 2rd paragraph, lines 3-6 teaches that destined server can be any server on the Internet which includes a third trusted party (intermediate application or proxy server), therefore the limitation is met).

Giacoppo does not explicitly discloses said plurality of vendors comprising a plurality of non-cooperating domains, said non-cooperating domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between another.

However, third party acting as host to offer as proxy service or clearinghouse for plurality of website where each website has no knowledge of one another is common in the Internet art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Giacoppo's system with plurality of vendors where each vendors are not do not directly communicate state information with one another so that each vendor only need to deal with one central party instead of multiple parties.

Response to Arguments

13. Applicant's arguments filed on 3/19/2001 have been fully considered but they are not persuasive.

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Applicant argues that Rosenberg does not teach amended claims of sharing state information between first and second domains *wherein said domains having no knowledge of one another and wherein said non-cooperating domains do not directly communicate state information between one another*. The Examiner disagrees. Rosenberg teaches the sharing of information is between distinct domains of network computers (page 4, lines 19-27, “distinct” domains). Rosenberg’s reference to cooperating server on page 3, lines 30-31 is intended to refer to web site servers observing the common protocol. In the World Wide Web, it is inherently required that servers use the common protocol across distinct domain if information is to transfer from one server to the other, even servers across domain that are not cooperating to each other still needs to use common protocol in order to share information.

In response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., do not directly communicate a proprietary protocol...; This allows for sharing of information between two servers simultaneously using different protocols) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, Applicant argues that Davis et al. does not teach the limitation of “disposed between a client and a server to receive transmissions exchanged between the client and the

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server” (remark, page 22). Davis teaches client information is captured and transmitted to a second server (Fig. 6, items (s607A)). Therefore, the broadly claimed limitation is met.

Conclusion

14. Claims 1-50 are rejected.
15. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications intended for entry)

Or:

(703) 305-0040, (for informal or draft communications, please label
“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2021
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

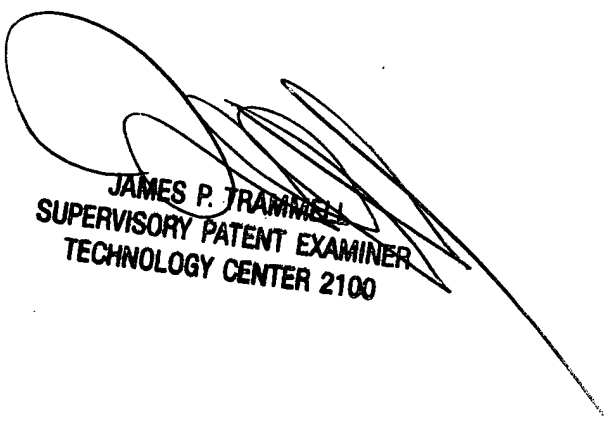
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tongoc Tran, whose telephone number is (703) 305-8967 and whose e-mail address is Tongoc.Tran@uspto.gov. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, James Trammell, can be reached at (703) 305-9768. The fax phone number for this Art Unit is (703) 305-0040.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TT
25May2001



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100